United Nations E/2016/SR.32

Economic and Social Council

Distr.: General
10 August 2016

Original: English

2016 session
24 July 2015-27 July 2016
Humanitarian affairs segment

Summary record of the 32nd meeting
Held at Headquarters, New York, on Tuesday, 28 June 2016, at 3 p.m.

President Mr. Lauber (Vice-President) (Switzerland)

Contents

Agenda item 9: Special economic, humanitarian and disaster relief assistance *(continued)*

High-level panel discussion: "Leaving no one behind: addressing forced displacement"

Expression of sympathy in connection with the recent terrorist attack at Ataturk Airport in Istanbul, Turkey

This record is subject to correction.

Corrections should be submitted in one of the working languages. They should be set forth in a memorandum and also incorporated in a copy of the record. They should be sent as soon as possible to the Chief of the Documents Control Unit (srcorrections@un.org).

Corrected records will be reissued electronically on the Official Document System of the United Nations (http://documents.un.org/).

16-11052 (E)

Please recycle

In the absence of Mr. Oh Joon (Republic of Korea), Mr. Lauber (Switzerland), Vice-President, took the Chair.

The meeting was called to order at 3.10 p.m.

Agenda item 9: Special economic, humanitarian and disaster relief assistance (*continued*)
(A/71/82-E/2016/60)

High-level panel discussion: "Leaving no one behind: addressing forced displacement"

1. **Mr. O'Brien** (Under-Secretary-General for Humanitarian Affairs and Emergency Relief Coordinator), moderator, said that the total number of forcibly displaced persons had reached record levels. Conflicts and violence had displaced an estimated 65 million people, two thirds of whom were internally displaced, and an additional 20 to 25 million people were displaced every year owing to natural disasters and climate change. The international community must protect and assist displaced persons and respond to their hopes for a better life. They wanted the same things as everyone else: safety for their families, jobs and livelihood opportunities, education for their children and the ability to meaningfully contribute to their communities and to society as a whole.

2. Displacement, although too often considered a purely humanitarian issue, was also a paramount political and development challenge, particularly as displacement situations became increasingly protracted. The international community should acknowledge the leadership and generosity of countries hosting refugees and communities with large numbers of displaced persons. Those countries and communities provided a public good and deserved support and solidarity.

3. In his Agenda for Humanity (A/70/709, annex), the Secretary-General had called for a fundamental shift to better address the protection and assistance needs of the displaced, while also improving their self-reliance, reducing their vulnerability and supporting the development of host communities.

4. Governments must develop long-term strategies, integrate displaced persons in development plans, strengthen legal frameworks and policies and support durable solutions. International organizations and bilateral partners must support efforts to reduce protracted displacement and not simply manage caseloads. They must put in place innovative and predictable financing instruments, help reinforce local systems and their institutions, create incentives for local and international business communities and promote localized programmes. Humanitarian and development actors must work more collaboratively across silos and mandates towards clear, measurable and collective outcomes that reduced the vulnerability of displaced persons and host communities over the long term. Strong protection frameworks must underpin those efforts.

5. He was heartened by the concrete commitments made during the recent World Humanitarian Summit in Istanbul by Member States, United Nations agencies, international and national non-governmental organizations (NGOs), international financial institutions, the private sector and academia. The international community must ensure the swift implementation of those commitments in order to improve the protection and humanitarian and resilience needs of internally displaced persons, refugees and host communities.

6. Through the Council and other intergovernmental processes, the international community must seize the opportunity to make further progress, including towards more predictable and equitable responsibility-sharing with respect to refugees. The upcoming General Assembly high-level meeting on addressing large movements of refugees and migrants, to be held on 19 September 2016, would represent an important milestone in those efforts.

7. Refugees, internally displaced persons and migrants fleeing conflicts, poverty and disaster must be treated humanely in all circumstances. He called on the international community to support the Secretary-General's global campaign against xenophobia, agreed upon by the Inter-Agency Standing Committee.

8. *A short film on the plight of forcibly displaced persons was shown.*

9. **Ms. Gaviria** (Presidential High Commissioner for Human Rights, Colombia), panellist, said that her Government welcomed the opportunity to participate in the panel discussion at such an important time, not only in the history of Colombia but in the history of humanity. Colombia was putting a definitive end to one of the most protracted conflicts in the history of mankind, thereby fulfilling one of the commitments it had made at the World Humanitarian Summit. On

23 June 2016, the Government had reached an agreement with the Fuerzas Armadas Revolucionarias de Colombia (FARC) guerrillas: a definitive, bilateral ceasefire and cessation of hostilities to end the 60-year guerrilla war that had left over 45,000 missing, 260,000 dead and 6 million internally displaced. The Government had learned from that painful experience and was now the main humanitarian actor in the country, backed by the political leadership of President Santos, whose political will had been vital to ending the suffering caused by internal displacement.

10. The best way to find dignified and durable solutions for victims of displacement was through political agreements negotiated by the parties to a conflict. The years of negotiations with the FARC guerrillas had led to a marked reduction in the number of internally displaced persons, by more than 50 per cent, which the recent agreement promised to reduce further. During the last few years, the Government had invested over $10 billion in policies to address the needs of victims. It had been able to respond to every humanitarian emergency within 48 hours and provide financial compensation to nearly 600,000 victims. Additionally, 400 indigenous, peasant and Afro-Colombian communities were receiving reparations for damages. Humanitarian assistance was provided on a holistic basis, and a number of programmes had been established to bring socioeconomic stability to the victims of displacement and build sustainable structures after emergencies. The Government had invested $104 million in humanitarian assistance to guarantee a minimum subsistence for 1.5 million households displaced by the conflict.

11. Colombia would continue to promote safe, dignified and long-term solutions for the internally displaced. In the light of the current peace process, her country's experience in dealing with the impact of conflict, especially on displaced persons, should inspire other nations to find effective and innovative solutions that supported those persons and ended the structural causes of displacement..

12. **Mr. O'Brien** (Under-Secretary-General for Humanitarian Affairs and Emergency Relief Coordinator) said that, at the World Humanitarian Summit, Costa Rica had affirmed its long-standing commitment to sustainable development, its role as a country of refuge and its support of disaster risk reduction and community response. He asked what current initiatives would advance that agenda and what major obstacles could impede their realization.

13. **Mr. Brenes Reyes** (President, National Commission on Risk Reduction and Emergency Response, Costa Rica), panellist, said that any initiative to strengthen sustainable development must be in line with the international frameworks governing disaster risk reduction, sustainable development and climate change. It must also be accompanied by a legal framework and the political will to ensure its implementation.

14. For 25 years, Costa Rica had engaged in disaster risk reduction initiatives, culminating in the Sendai Framework for Disaster Risk Reduction 2015-2030. During that time, the Government had also reformed its emergency law and enhanced the legal framework by incorporating essential elements of prevention. In 2005, Costa Rica had implemented a national disaster management system based on a shared responsibility for prevention. Various instruments and programmes supported by public funding had been established in that shift towards prevention. A strategic planning document outlined the disaster management policy through 2030, which was inspired by international frameworks. It complied with the Sendai Framework and was also supported by the national development plan envisioned by President Luis Guillermo Solís, which called for effective action to reduce vulnerability; strengthen capacity-building at the local, regional and national levels; and promote stability, sustainability and resilience in the social and natural systems. It would also define effective criteria for the prevention and mitigation of disasters in territorial, sectoral and economic planning.

15. Resilience management, especially social resilience, was crucial for reducing vulnerability and should be included in social programmes. Social vulnerability should be a determinant for social investment so as to reduce the risk factors for those who were socially excluded or affected by natural disasters. Risk management should be decentralized in order to encourage participation and commitments from social and economic actors, which would allow for public-private partnerships. Related projects would also help to improve the skills of individuals so that they could bring about a measurable change in the knowledge and attitudes surrounding prevention, and encourage a proper understanding of disasters and their mitigation and prevention. A contingency plan had

been implemented to promote recovery and restore productivity in areas affected by disasters. Through policy tools and regulations, the aim was to achieve sustainable and secure development with input from production actors.

16. Working with communities at the grassroots level was a cornerstone of the preventive approach. His Government worked very closely with the emergency committees in municipalities to provide advice, operational capacity-building and assistance with reconstruction projects. It also engaged with civil society organizations and NGOs on disaster risk management. Through that collaboration, the Government had been able to forge agreements to develop preventive projects at the local and national levels.

17. As a middle-income country, one of the main obstacles facing Costa Rica was the amount of international assistance it received for migrants, particularly to fund its regional humanitarian initiatives. Another obstacle was the lack of legal frameworks to streamline the distribution of humanitarian assistance. Cultural, religious and linguistic barriers also made it more difficult to deliver assistance to migrant populations. The Government had asked the University for Peace to train a governmental team in providing support to migrants across cultural divides. In collaboration with Panama, workshops would be held to discuss the issues surrounding humanitarian assistance for migration. The Costa Rican economy would not be able to guarantee sustainable assistance. The international community needed to re-evaluate the amount of assistance it gave to countries like Costa Rica, which had managed through its own efforts to avoid a humanitarian crisis, despite its limited economic resources.

18. **Mr. O'Brien** (Under-Secretary-General for Humanitarian Affairs and Emergency Relief Coordinator) asked what the international community could do to finally reverse the upward trend in the number of internally displaced persons.

19. Mr. Beyani (Special Rapporteur on the human rights of internally displaced persons), panellist, said that there were two primary reasons for the continued increase in the number of internally displaced persons: the failure to prevent new displacement, particularly arbitrary displacement, and the failure to address protracted internal displacement situations.

20. Greater effort was required to address the root causes of new displacement, such as poverty, marginalization, discrimination on the grounds of social identity, violence and armed conflict. The main cause of conflict-induced displacement was the lack of respect for international humanitarian law by the parties to a conflict. Internal protection mechanisms, for which the State was primarily responsible, must be strengthened. In terms of disaster-induced displacement, despite some improvements in disaster risk reduction efforts, there was a lack of preparedness. In the countries that the Special Rapporteur had visited, with the exception of the Philippines, disaster preparedness units existed, but had no component to address displacement.

21. The solution to protracted displacement would require national leadership, strong political will and cooperation among States. International humanitarian and development actors must work through local and national systems to provide assistance. The consultation and participation of internally displaced persons themselves was important. Priority must be given to situations that improved self-reliance by integrating such persons into national social protection systems, education programmes and development plans.

22. He was encouraged by the World Humanitarian Summit and the strong will expressed by a range of stakeholders to support self-reliance, resilience and durable solutions, and to strengthen laws and policies to protect the internally displaced.

23. **Mr. O'Brien** (Under-Secretary-General for Humanitarian Affairs and Emergency Relief Coordinator) said that Member States had strengthened their commitments to refugee protection and assistance and had increased their support to durable solutions at a number of global conferences in 2016. He asked where those commitments might lead and how the international community would be able to meet the most pressing challenges in areas that clearly warranted a global response.

24. **Mr. Türk** (Assistant High Commissioner for Protection, Office of the United Nations High Commissioner for Refugees (UNHCR)), panellist, said that forced displacement, an issue of incredible magnitude, scope and complexity, had become a constant in the lives of many people, both in the North and in the South. An international cooperative response

was essential for dealing with any issue that was transboundary and international in nature. While there was a great deal of volunteerism, civil society engagement and host community support across the globe in response to the refugee and displacement crisis, in some areas xenophobia increasingly played a dangerous role in populist politics, influencing policies and legislation and increasing barriers to entry. Those trends were of great concern for UNHCR and he hoped the upcoming events would lead to a solution that would build on the established normative framework.

25. In the wake of the Second World War, an international refugee protection regime had been established under the 1951 Convention relating to the Status of Refugees, the 1967 Protocol thereto and a number of regional instruments. Any action taken by the international community should be based on that normative framework. Commitments had been made at the World Humanitarian Summit to respect international humanitarian law and international law more broadly; however, many of the current issues would never have arisen had such respect been honoured.

26. At the high-level meeting on global responsibility-sharing through pathways for admission of Syrian refugees, held in March 2016, a strong case had been made to find creative solutions to overcome the administrative and bureaucratic hurdles that barred refugees from access to resettlement opportunities, complementary pathways for admission and scholarship programmes. Requirements should be eased so that family reunification could occur.

27. He hoped that political leaders would come together in support of international cooperation and solidarity, a more equitable and predictable responsibility-sharing framework and a global compact for refugees, both at the General Assembly high-level meeting on addressing large movements of refugees and migrants, to be held on 19 September 2016, and at the Leaders' Summit on the Global Refugee Crisis to be hosted by President Obama on 20 September 2016 on the margins of the General Assembly. It was time for the international community to stop relying on ad hoc approaches and start engaging as a partner to host countries and communities from the beginning of displacement situations.

28. **Mr. Shearman** (United Kingdom) said that the international community must seize the opportunity to adopt new approaches to protracted forced displacement in order to reach some of the most vulnerable people in the world, which was an integral part of the Sustainable Development Goals.

29. After the London Conference on Syria, held in February 2016, the United Kingdom had hosted a forum on protracted forced displacement with UNHCR and the World Bank in April, where refugee-hosting countries had shared their practical experiences. At the World Humanitarian Summit, the United Kingdom had co-chaired the forced displacement round table.

30. The international community must follow through with the commitments made at the Summit to meet immediate humanitarian needs and invest in long-term development to support the self-reliance of displaced persons.

31. Protracted displacement had become more and more common. In the last three years, developing countries had hosted an average of 86 per cent of all refugees. Those countries, the least equipped to deal with the challenge, provided a global good and required long-term support. Investment in jobs and livelihoods to give people the means to be self-reliant must be made through approaches that met the needs of whole populations, host communities and refugees.

32. Investment in education would ensure that there was no lost generation. The United Kingdom, alongside other States, was investing in the Education Cannot Wait platform, a new way of delivering, financing and coordinating education in emergencies and protracted crises. The financing framework must shift to a long-term focus with predictable multi-year commitments and humanitarian financing must be more efficient.

33. The root causes of forced displacement also needed to be addressed. Forced displacement was too often a symptom of conflict, persecution, human rights abuses and failures of governance and the rule of law. The international community must improve its preparations to address a crisis once it had occurred, but it must also do more in prevention and preparedness to address the root causes of conflict.

34. **Mr. O'Brien** (Under-Secretary-General for Humanitarian Affairs and Emergency Relief Coordinator) asked about the challenges facing the Special Rapporteur on the human rights of internally

displaced persons and what the best solutions were for the 40 million internally displaced persons.

35. **Mr. Beyani** (Special Rapporteur on the human rights of internally displaced persons) said that it was crucial to maintain the visibility of internally displaced persons, attend to their protection, provide assistance and find durable solutions. There was occasionally a tendency to ignore the internally displaced until they spilled into the territories of other States, which was sometimes the result of a failure of internal protections. It was important to recognize that there was a dynamic relationship between internally displaced persons, refugees and migrants. Durable solutions could help target the causes of displacement and the nature of the persecution.

36. There was also a lack of data on internally displaced persons. Often States did not know how many such persons they had, which made it difficult to seek solutions. Data collection systems were needed to determine their number and profiles and to assess their needs, because their participation in finding durable solutions was very important. The system of protection for them must be strengthened. The mandate of the Special Rapporteur was voluntary, but it required a full-time commitment. A more permanent structure within the United Nations system was needed to ensure better collaboration.

37. During his six years as Special Rapporteur, he had been faced with very little resistance from those States with internally displaced persons. They had welcomed his mandate and had invited him to visit their countries and to share his expertise. He trusted that such receptivity would continue after his departure.

38. **Ms. Coutinho** (Portugal) said that there was a clear need to do better in tackling the root causes of forced displacement, and the upcoming high-level meeting on addressing large movements of refugees and migrants offered a unique opportunity to take collective action to promote change.

39. Portugal had been allocated a quota of 4,200 refugees under the European Union relocation programme, but was willing to accept up to 10,000 people in a spirit of solidarity with those countries more directly affected by the crisis. Her Government was also committed to implementing additional pathways for the admission of refugees, providing educational and job opportunities and facilitating integration. It attached the utmost importance to the right to education, which was one of the first human rights to be violated in situations of crisis and conflict.

40. Respect for the right to education, including higher education, in situations of crisis was an essential condition for a sustainable future. A skilled workforce and qualified future leaders were dependent on access to quality education and were paramount to progress and development in any country. For that reason, Portugal supported the Global Platform for Syrian Students by hosting students in Portuguese universities, thereby ensuring the continuation of their education and contributing to their future.

41. She asked the panellists to share ways to better prioritize access to higher education in emergency situations and gather support from a wide range of partners willing to work collaboratively in support of higher education in crises.

42. **Mr. Jay** (Switzerland) expressed concern about the millions of people around the world forced to leave their homes to escape conflict, violence and disasters. There was no easy answer to that complex political, humanitarian, human rights and development challenge. The international community needed to improve its capacities to prevent armed conflicts and find peaceful solutions, and Switzerland was committed to doing its part.

43. Ensuring that all parties to a conflict respected international humanitarian law reduced the causes of displacement but would not solve the problem. Human rights violations were often an indicator of potential instability and a precursor to an escalation of violence. It was therefore important to strengthen the promotion and protection of human rights for all, in particular vulnerable groups.

44. The many commitments made at the World Humanitarian Summit would help improve the self-reliance and resilience of displaced persons and host countries. He asked the Assistant High Commissioner to identify the outcomes he hoped to see from the high-level meeting on addressing large movements of refugees and migrants that had not been achieved at the Summit with regard to the global compact.

45. **Ms. Amadeo** (United States of America) said that the root causes of displacement must be addressed and the response must include development. She asked the

panellists to share their views on how to reach the goal set forth in the Agenda for Humanity to halve the number of internally displaced persons by 2030. She urged Member States to include those persons in the discussion at the upcoming high-level meeting on addressing large movements of refugees and migrants.

46. **Mr. Zincke** (Observer for the European Union) said that the humanitarian system alone could not address the growing and evolving needs of the forcibly displaced and the countries and communities hosting them, especially as more crises became protracted. Forced displacement was a political, human rights, security, development and economic challenge that must be tackled through a combination of humanitarian assistance and long-term development support, underpinned by political dialogue. The international community should not focus solely on internally displaced persons; host countries and communities should also receive adequate and sustained support.

47. The European Union had made a number of commitments at the World Humanitarian Summit and pledged to work with host Governments and local authorities to implement plans and policies that promoted the socioeconomic inclusion of forcibly displaced persons within the framework of local and national development plans. In that regard, access to the labour market, education and social and financial services was of crucial importance. Civil society and the private sector must be involved in order to offer much-needed services and opportunities for employment, business and investment, both for forcibly displaced persons and for host communities.

48. The European Union was working to establish a number of new programmes and funding tools that would provide immediate relief and long-term support for displaced persons and their hosts, including dedicated funds, the refugee facility in Turkey, compacts with the host countries of Jordan and Lebanon, and regional development and protection programmes in the Middle East, North Africa and the Horn of Africa.

49. The upcoming events in September should build on the work started in Istanbul and focus on the issue of forced and protracted displacement. The European Union supported the development of a global framework of cooperation in the spirit of global responsibility-sharing and looked forward to engaging constructively in such negotiations.

50. **Mr. Tsutsumi** (Japan) said that his country had always been a strong advocate of human security. Leaving no one behind meant including internally displaced persons; however, some Member States appeared to be very cautious about related State sovereignty issues. He asked the panellists how they would address concerns that discussing the issue of internal displacement might violate the sovereignty of States.

51. **Mr. Jabbar** (Iraq) said that the Special Rapporteur had refused to allow government officials to accompany him during his visit to Iraq. They had requested to see his report before it had been issued and had only received it five days in advance. They had also provided him with recommendations and corrections for inclusion in the report, but it had been issued without the changes. Instead of assisting Iraqi internally displaced persons, the report had simply criticized the Government's efforts, despite the fact that Islamic State in Iraq and the Levant (ISIL) had been the main cause of their displacement. He wanted to know what benefits had arisen from the visit of the Special Rapporteur to Iraq and from his report.

52. **Mr. O'Brien** (Under-Secretary-General for Humanitarian Affairs and Emergency Relief Coordinator) asked the panellists to identify the practical steps that should be taken to make internally displaced persons more visible. In providing those persons with assistance, he wondered where the line should be drawn between global responsibility and national sovereignty.

53. **Ms. Gaviria** (Presidential High Commissioner for Human Rights, Colombia) said that political will and political and social leadership must drive the implementation of comprehensive solutions to displacement that were in line with the 2030 Agenda for Sustainable Development. States must assume their responsibilities to bring about the needed reforms in the national and international humanitarian architecture in order to place human dignity at the heart of humanitarian action.

54. At the World Humanitarian Summit, Colombia had renewed its commitment to target the causes of violence and raise awareness of and prevent conflicts. It had also committed to sharing its experience and lessons learned with the world. There must be political will to acknowledge the magnitude and complexity of displacement in order to increase the visibility of

victims. Five years ago, the Government had passed a victims law that created a database of the 6 million internally displaced persons. The first concrete, practical step must be to recognize victims and understand and define their needs and life goals in order to establish policies that could meet those needs. Secondly, victims of displacement must be treated as social and political rights holders. They must be involved in decision-making processes pertaining to political and public life. For that reason, the victims had been directly involved in the peace negotiations in Havana. Assistance from the United Nations had been instrumental in establishing forums where victims could be heard in Colombia.

55. The State must be held accountable for its performance in integrating victims' proposals into policy design. The State also had to monitor its own policies. In the current humanitarian affairs segment of the Council, Colombia would lead a side event to discuss its humanitarian assistance models in order to demonstrate that the goal of the Colombian State was to rise to meet the challenges it faced and adhere to global humanitarian standards.

56. **Mr. Brenes Reyes** (President, National Commission on Risk Reduction and Emergency Response, Costa Rica) said that the response to displacement must be people-centred, irrespective of the cause. A human rights approach had guided Costa Rica in its response to the migration phenomenon impacting the country. His Government believed that migration should be addressed through a regional response, where every country could contribute.

57. The international community should acknowledge the efforts to address migration made by countries such as Costa Rica and Panama. However, in the long term, an assistance-based approach was needed to help those countries strengthen capacities in order to maintain support to migrants and meet the related economic and cultural challenges. It was important to promote the concept of a regional vision and raise awareness of the issue to ensure that middle-income countries received support to maintain human rights-based solutions.

58. **Mr. O'Brien** (Under-Secretary-General for Humanitarian Affairs and Emergency Relief Coordinator) said that respect for international humanitarian law was clearly vital with a view to reducing the number of people who needed to flee or were in need of protection. The international community must do more to implement the Secretary-General's proposal for an integrated approach to finding sustainable solutions to protracted displacement. Much work remained to be done in improving data collection and analysis, particularly with regard to internally displaced persons. He asked the Special Rapporteur to identify the ways in which the international community could work to improve the lives of the most vulnerable while respecting national sovereignty.

59. **Mr. Beyani** (Special Rapporteur on the human rights of internally displaced persons) said that the issue of national sovereignty had been considered during the evolution of the protection regime for internally displaced persons and that the State bore the primary responsibility of providing protection and assistance to those persons. Under human rights law, the State had a duty to protect nationals within its territory. Under international law, sovereignty was not an excuse for neglecting international obligations. While the protection system should yield to national sovereignty, such sovereignty must be exercised to protect those internally displaced.

60. States must designate a focal point for the protection of internally displaced persons, which required a multisectoral approach. Designating a coordination mechanism would allow the various ministries, already charged with numerous responsibilities, to focus collectively on assistance. Unfortunately, that coordination mechanism was often lacking. When visiting countries, his mandate was to identify and evaluate the current system and share the experiences of other systems in order to improve each State's response, in accordance with its social, political and legal contexts. States must have laws and policies in place to offer protection. For example, the law should allow internally displaced persons to continue to receive their social benefits.

61. Profiling data collection on the internally displaced was another very important element that was often lacking. States could address that gap by working in partnership with agencies, such as the Internal Displacement Monitoring Centre and the International Organization for Migration, to meet the Global Investment Performance Standards. States must conduct needs assessments to better assist families, the elderly and those with disabilities. Durable solutions should take into account the intentions of those

internally displaced and whether they preferred to return to their place of origin, remain in their current location or resettle elsewhere.

62. States with internally displaced persons were usually overwhelmed and unable to discharge their duties. In situations of conflict, resources were primarily devoted to fighting. The international system, therefore, had a responsibility to step in and protect their lives. In visits to conflict States, he had a mandate to assess the situation and determine what action agencies could take to protect human rights. States must also collaborate with the clusters, United Nations missions and the Inter-Agency Standing Committee. Since States were willing to reach out for assistance in drafting laws and policies and finding durable solutions, the dialogue of cooperation was working reasonably well.

63. The question of sovereignty had led to some hesitation in including internally displaced persons in the upcoming high-level meeting on addressing large movements of refugees and migrants. The internally displaced should be given the same consideration as migrants and refugees. The root causes of displacement could be addressed through the protection framework for internally displaced persons, whereas the frameworks in place for migrants and refugees were much more responsive in nature. States could balance sovereignty and collective efforts by working with other States through regional frameworks, such as the Kampala Convention.

64. In response to the question from the delegation of Iraq, he said that the standard operating procedure for mandates was to be independent. Internally displaced persons sometimes felt intimidated in the presence of government officials, and it was crucial for them to feel comfortable raising issues. Government officials were of course very welcome to attend Government-to-Government meetings and debriefings. Regrettably, the recommendations provided by the Iraqi Government to be included in the report had been in Arabic and the Office of the United Nations High Commissioner for Human Rights lacked the resources for translation services. He would be happy to resolve any outstanding issues.

65. During the course of his visit, the Special Rapporteur had found that Iraq was treated as a middle-income country, but no longer had access to its major oil reserves. The country, therefore, required international resources to protect internally displaced persons. He had called on the international community to provide support and a number of Middle Eastern States had already pledged financial assistance. He offered to continue to facilitate the dialogue between the Iraqi Government and other States.

66. **Mr. Türk** (Assistant High Commissioner for Protection, Office of the United Nations High Commissioner for Refugees (UNHCR)) said that he had been surprised to see the extent to which sovereignty had not been exercised in some areas of the countries he had visited. Internally displaced persons must be a political priority, and States must draft laws and policies for their protection. The Guiding Principles on Internal Displacement (E/CN.4/1998/53/Add.2, annex) had already been established under international law, as their protection fell under the exercise of sovereignty and did not constitute a further progressive development of law.

67. Access to education was one of the biggest issues facing refugees. Only half of refugee children had access to primary school and one third of refugee youth had access to secondary school. Girls and young women faced additional obstacles to remain in school. However, a number of initiatives had been established to assist refugees in attending tertiary school. Scholarship programmes were offered by many States, including Canada, Costa Rica, France, Germany, Japan, Morocco and Qatar. Facilitating access to education for refugees represented an investment in the future of their countries, as many students would return home to help rebuild.

68. The global compact on responsibility-sharing for refugees was a Member State-driven process. Political leaders had a historic opportunity to make a strong statement about the need for international solidarity and cooperation. Countries faced with a large-scale influx of refugees must be able to rely on the solid support of the international community to close the protection gap. The global compact must provide an early, comprehensive response for refugees that included admission, registration, documentation and attention to the very specific protection risks of vulnerable groups. It should meet essential needs, including access to education. Instead of establishing parallel systems, refugees should be integrated into national service provisions and host countries should receive the necessary support. The global compact should also focus on resettlement, complementary

pathways, family reunification and the conditions required for eventual return.

69. **Mr. O'Brien** (Under-Secretary-General for Humanitarian Affairs and Emergency Relief Coordinator) said that the global compact could represent a major opportunity to make a clear policy declaration of intent to which people could rally. He asked how that would translate concretely from political rhetoric to implementation on the ground for the benefit of vulnerable people.

70. **Mr. Türk** (Assistant High Commissioner for Protection, Office of the United Nations High Commissioner for Refugees (UNHCR)) said that the existing framework for refugees, which had been drafted in the wake of similar displacement situations and refugee movements, was still relevant. Its implementation, however, represented the most significant gap in the refugee arena. The international community needed to ensure that implementation was informed by the spirit of the Convention relating to the Status of Refugees and that a State facing a large-scale influx received immediate support. The modalities of that support had never been outlined in a single, cohesive and coherent document, which was the aim of the global compact that he trusted would be adopted at the General Assembly high-level meeting on addressing large movements of refugees and migrants on 19 September 2016. The global compact would establish concrete methods for international cooperation in order to share the burden and responsibilities for refugees in an equitable manner.

71. **Mr. O'Brien** (Under-Secretary-General for Humanitarian Affairs and Emergency Relief Coordinator) asked whether the international community should be working towards the creation of a specific legal instrument for the protection of internally displaced persons. He also wondered how non-State actors could be encouraged to comply with international humanitarian law and international law more broadly. He asked the Special Rapporteur to share suggestions for strengthening his mandate, in particular what instruments could be established to strengthen the response to internally displaced persons and whether the international community could find a better way to address their vulnerable humanitarian needs, perhaps through increased law and protection.

72. **Mr. Beyani** (Special Rapporteur on the human rights of internally displaced persons) said that the three branches of international law: international human rights law, international humanitarian law and international refugee law were clearly reflected in the Guiding Principles on Internal Displacement.

73. International human rights law had been largely designed to regulate the conduct of States in relation to persons within their territories. It also connoted their accountability in the event of their failure to provide protection. It was a strong element to prevent abuses of international human rights and therefore prevent displacement and the outflow of refugees. International human rights law applied to non-State actors in an indirect way. The State must have measures in place to bring non-State actors within its territory to account, because the State was ultimately responsible for the protection of its people.

74. International humanitarian law was binding on those individuals engaged in hostilities and was fundamental to the protection of civilians during armed conflict. The principle of distinction required that civilians should not be attacked. The principle of proportionality meant that the force used should not be disproportionate to the conflict. Humanitarian assistance must have unimpeded access to populations in need of relief, and relief consignments must be protected. International humanitarian law applied to non-State actors because it was personally binding on the fighters.

75. International refugee law was developed to protect those who had the well-founded fear of persecution based on nationality, political opinion, religion, or membership in a particular social group and were not willing or able to remain under the protection of the State in which they were being persecuted. War or conflict was also considered a means of persecuting individuals. Within that framework and other regional ones such as the Kampala Convention and the Cartagena Declaration, the principle of non-refoulement also applied to internally displaced persons.

76. International human rights law, international humanitarian law and international refugee law were products of the State system, stemming from the sovereignty of States and the international obligations that they had agreed to discharge. The State's sovereignty was therefore not called into question, and that sovereignty was, in fact, being exercised when States received refugees, determined their status,

protected internally displaced persons and ensured that non-State actors respected humanitarian law.

77. **Mr. O'Brien** (Under-Secretary-General for Humanitarian Affairs and Emergency Relief Coordinator) asked what kind of financing policy and operational tools should be put in place to better address protracted displacement and who should take that action.

78. **Ms. Gaviria** (Presidential High Commissioner for Human Rights, Colombia) said that a State's primary obligation was to find definitive solutions to human suffering and negotiate conflict settlements. There must be strong coordination on the ground among the various agencies of the United Nations system and humanitarian actors. In Colombia, the Government had been working closely with humanitarian agencies to find early, sustainable responses to the plight of displaced persons. Enhanced cooperation increased a State's ability to carry out impactful and sustainable actions. It was important to strengthen the capacities of those institutions collaborating with United Nations agencies and other humanitarian actors, both at the national and local levels.

79. It was also essential to support sustainable and lasting solutions for internally displaced persons that would preserve their dignity and security and empower them to design and monitor public policy in the areas of land restitution, housing, rural economic opportunities, mental health and resettlement. In the past four years, Colombia had implemented a land restitution programme that had returned 200,000 hectares to previous owners. Free housing had been provided to 76,000 displaced households, and 104,000 households were being resettled. A programme was also underway to legalize the status of existing urban settlements. The international community and humanitarian agencies had been instrumental in supporting those local efforts and the initiatives of the Colombian State.

80. Mental health must be addressed alongside humanitarian and development agendas. Fifty per cent of the victims in Colombia that had received governmental assistance had requested psychosocial support for their emotional recovery. The Government had already provided more than 300,000 people with mental health benefits, however, more than 2.5 million Colombians were still suffering from the conflict and awaiting mental health assistance. Investing in human dignity through the emotional recovery and empowerment of the displaced constituted an investment in their development. People in a healthy mental state were more productive and successful in re-establishing their lives.

81. **Mr. Brenes Reyes** (President of the National Commission on Risk Reduction and Emergency Response, Costa Rica), said that Costa Rica was located in a region susceptible to natural disasters, which caused both internal and external displacement. The region had also been indirectly affected by conflicts taking place in other parts of the world. Costa Rica and Panama were working to meet the unprecedented challenge of providing for the needs of thousands of people who had come from beyond Latin America and had left their home countries as a result of financial struggles, political persecution or natural disasters. To address the influx of migrants, those countries had taken steps to improve the resilience of vulnerable groups, which included expanding national contingency plans, strengthening local capacities, improving infrastructure, urban planning, adapting to climate change, passing land laws and other development measures.

82. Migration should not be viewed as an isolated issue that each country must address alone. A regional perspective would achieve a more integrated response, and the international community could support host communities and complement government programmes to strengthen resilience. Displacement was a nuanced issue that required different solutions in different countries, which should be taken into account when supporting the efforts of small countries to assist refugees and migrants.

83. **Mr. O'Brien** (Under-Secretary-General for Humanitarian Affairs and Emergency Relief Coordinator) asked what instruments could be implemented to finance assistance and protection for refugees. He wondered whether there were more efficient ways to implement new technologies, data and partnerships for a more immediate response.

84. **Mr. Türk** (Assistant High Commissioner for Protection, Office of the United Nations High Commissioner for Refugees (UNHCR)) said that one very important outcome from the World Humanitarian Summit was the "grand bargain", which served as a platform to address the ever-increasing financial needs

in situations concerning refugees and internally displaced persons.

85. One recent paradigm shift in protracted refugee situations, particularly in Africa and Syria, was an increase in the engagement of international financial institutions. In particular, the World Bank had been conducting more needs assessment studies in Jordan, Lebanon and the Lake Chad Basin. Those studies had a significant impact on low- and middle-income countries, where concessional loans were essential to addressing infrastructure issues in order to strengthen the resilience and the capacity of host communities. Refugees themselves could also contribute resources. Studies conducted by the World Bank and the Organization for Economic Cooperation and Development had shown that early integration of refugees into the labour market could be of socioeconomic interest to host countries.

86. It was important to take a comprehensive approach to humanitarian financing, building it on the "grand bargain", while also opening access to labour markets and education in order to capitalize on the contributions that refugees could make. Innovative thinking was driving new partnerships. For example, UNHCR would soon sign a memorandum of understanding with the International Labour Organization that would focus on access to labour markets for refugees. When given opportunities and the right tools, refugees could make important contributions to host countries and communities. One new innovative approach was focusing on cash-based assistance rather than the distribution of food and non-food items. Cash-based assistance was more dignifying and empowering and a more effective means of meeting the needs of people in very dire circumstances.

87. **Mr. Brenes Reyes** (President, National Commission on Risk Reduction and Emergency Response, Costa Rica) said that the financial difficulties affecting countries like Costa Rica, located in the poorer regions of the world, had not impeded the Government from making a significant contribution to humanitarian assistance. From the beginning, Costa Rica had upheld its belief that those needs must be met through a human rights-based approach. His country was a signatory to the relevant international instruments, which the Government had implemented for the protection of human rights.

88. Migration was a complex issue that required a comprehensive regional response. Costa Rica supported the Nansen Initiative, which provided the Agenda for the Protection of Cross-Border Displaced Persons in the wake of natural disasters. As a State member of the Regional Conference on Migration, his country had helped to develop the guidelines determining effective practices for the protection of persons moving across borders in the context of disasters. Using those models as a guide, the international community should support countries in their efforts to strengthen capacity to respond to migration, which would likely become a protracted situation requiring outside assistance.

89. **Ms. Gaviria** (Presidential High Commissioner for Human Rights, Colombia) said that the support of the international community had been essential to the strengthening of national and local policies that promoted and respected human rights, and that a human rights-based approach legitimized the country's actions to address displacement.

90. Many multilateral bodies and States had offered her Government concrete support, which had brought about the peace agreement. She thanked the international community for its belief in Colombia's ability to change its history and forge a brighter future as a just and peaceful country. Her Government was grateful for the support and would do the same for other countries in need.

91. **Mr. Beyani** (Special Rapporteur on the human rights of internally displaced persons) said that it was in the interest of States to protect internally displaced persons. The implications went far beyond simply addressing protection and assistance needs. A State required a stable population to prevent its collapse. Displacement occurred along contested internal borders, when the authority of the State was being challenged. To protect the internally displaced was to attempt to restore the relationship between the population and the State.

92. Displacement required a holistic approach; there could be no trade-off between internally displaced persons, refugees and migrants. The international community appeared more willing to deal with the consequences of the failure of internal protection once people crossed international boundaries, rather than address that failure itself, which would largely solve the problem. The international community must

embrace the logic behind protecting the internally displaced.

93. New and old cases of protracted displacement required equal attention. States seemed more willing to embrace disaster-related displacement than conflict-induced displacement; however, all types of displacement should receive equal treatment.

94. **Mr. O'Brien** (Under-Secretary-General for Humanitarian Affairs and Emergency Relief Coordinator), summing up, said that the international community had clearly come to a consensus on the need to do more to address the root causes of displacement. It needed to focus on conflict prevention and resolution, and to promote a much greater respect for and effectiveness of international law. Increased visibility for internally displaced persons was dependent upon the leadership of affected States. Their Governments must implement laws and policies and make operational decisions to ensure that the internally displaced were not left behind. It was important to recognize the role that development could play in finding solutions for displacement. More plans and policies should be put in place to mitigate the risks of displacement and ensure that displaced persons were included in the response to disasters.

95. A better approach was needed to protracted displacement. Governments and humanitarian and development actors must work together to offer long-term solutions to the displaced and to host communities. Displacement must be included in the 2030 Agenda. Protection frameworks must be implemented effectively, and States must assume the responsibility of protecting their own nationals. The international community must be explicit and brave in its fight against xenophobia, a cancer that had to be rooted out of all mentalities and behaviours. Internally displaced persons must be at the centre of future planning, and the international community must ensure that they did not fall through the cracks. There must be a balance between international support and action on the one hand and national sovereignty arguments on the other. There was a clear need to collect better data.

96. The World Humanitarian Summit had shown that humanitarian action rose above the vested interests of Member States or any one organization and sought to meet needs as they arose. The forthcoming General Assembly high-level meeting on addressing large movements of refugees and migrants would take forward the political will and the commitments made at the World Humanitarian Summit. The multi-stakeholder approach was vital, not just for intergovernmental processes but to allow actors within United Nations agencies to better collaborate. Those upcoming events were an opportunity to make progress towards much more equitable and predictable responsibility-sharing for refugees.

Expression of sympathy in connection with the recent terrorist attack at Ataturk Airport in Istanbul, Turkey

97. **The President**, on behalf of the Council, and **Mr. O'Brien** (Under-Secretary-General for Humanitarian Affairs and Emergency Relief Coordinator), expressed their condolences to the Government and people of Turkey and to the families of the victims of the recent terrorist attack at Ataturk Airport in Istanbul.

The meeting rose at 5.55 p.m.